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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
) Before the Examiner
Bradley T. ESTES et al.) Not yet known
)
Serial No. 10/650,494) Group Art Unit
) 3738
Filed August 28, 2003)
)
LATERALLY EXPANDING)
INTERVERTEBRAL FUSION DEVICE)

STATUS REQUEST

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

In the last communication from the U.S. Patent and Trademark Office, which was the Updated Filing Receipt (*OC000000012295741*), the publication date for the above application was projected for July 15, 2004.

Please advise us as to the status of the above-identified patent application and provide an updated projected publication date.

I hereby certify that this correspondence is being deposited with the United States Postal Service as **first class mail** in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

February 25 2005

(Date of Deposit)

James B. Myers, Jr.

Name of Registered Representative

James B. Myers

Signature

February 25 2005

Date of Signature

Respectfully submitted,

By:

James B. Myers

James B. Myers Jr., Reg. No. 42,021

Woodard, Emhardt, Moriarty, McNett & Henry LLP

3700 Bank One Center Tower

111 Monument Circle

Indianapolis, IN 46204-5137

(317) 713-4948